

House Study Bill 67 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

A BILL FOR

1 An Act relating to privileged communications between certain
2 peer support group counselors and officers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 622.10, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9. *a.* A peer support group counselor
4 who obtains information from an officer by reason of the
5 counselor's capacity as a peer support group counselor
6 shall not be allowed, in giving testimony, to disclose any
7 confidential communication properly entrusted to the counselor
8 by the officer while receiving counseling.

9 *b.* The prohibition in this subsection does not apply where
10 the officer has consented to the disclosure of the information
11 specified in paragraph "a".

12 *c.* For purposes of this subsection:

13 (1) "*Officer*" means a certified law enforcement officer,
14 fire fighter, emergency medical technician, corrections
15 officer, detention officer, jailer, probation or parole
16 officer, communications officer, or any other law enforcement
17 officer certified by the Iowa law enforcement academy and
18 employed by a municipality, county, or state agency.

19 (2) "*Peer support group counselor*" means either of the
20 following:

21 (a) A law enforcement officer, fire fighter, civilian
22 employee of a law enforcement agency, or civilian employee of a
23 fire department, who has received training to provide emotional
24 and moral support and counseling to an officer who needs those
25 services as a result of an incident in which the officer was
26 involved while acting in the officer's official capacity.

27 (b) A nonemployee counselor who has been designated by the
28 commissioner of public safety to provide emotional and moral
29 support and counseling to an officer who needs those services
30 as a result of an incident in which the officer was involved
31 while acting in the officer's official capacity.

32 EXPLANATION

33 This bill relates to privileged communications between
34 certain peer support group counselors and officers.

35 The bill provides that a peer support group counselor

1 who obtains information from an officer by reason of the
2 counselor's capacity as a peer support group counselor
3 shall not be allowed, in giving testimony, to disclose any
4 confidential communications properly entrusted to the counselor
5 by the officer while receiving counseling. The bill creates an
6 exception in cases where the officer has given the officer's
7 consent to the disclosure of such information.

8 The bill defines "officer" to mean a certified law
9 enforcement officer, fire fighter, emergency medical
10 technician, corrections officer, detention officer, jailer,
11 probation or parole officer, communications officer, or
12 any other law enforcement officer certified by the Iowa law
13 enforcement academy and employed by a municipality, county, or
14 state agency.

15 The bill defines a "peer support group counselor" as a
16 law enforcement officer, fire fighter, civilian employee of
17 a law enforcement agency, or civilian employee of a fire
18 department, who has received training to provide emotional and
19 moral support and counseling to an officer who needs those
20 services as a result of an incident in which the officer
21 was involved while acting in the officer's official capacity
22 or a nonemployee counselor who has been designated by the
23 commissioner of public safety to provide such support and
24 counseling.